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8 Defendants San Diego Refrigerated Services, Inc.,  
9 doing business as Harborside, as San Diego Terminals,  
as San Diego Cold Storage, and as San Diego Cold Storage, Inc.,  
and Miguel Cueva also known as Miguel Tamayo

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF CALIFORNIA

## 15 CATLIN UNDERWRITING AGENCIES LIMITED,

**Plaintiff,**

V.

18 SAN DIEGO REFRIGERATED SERVICES,  
19 INC. D/B/A HARBORSIDE D/B/A SAN  
20 DIEGO TERMINALS, PLA-ART  
21 INTERNATIONAL D/B/A SAN DIEGO  
COLD STORAGE, SAN DIEGO COLD  
22 STORAGE, INC., MIGUEL CUEVA A/K/A  
MIGUEL TAMAYO, SERGIO HERNANDEZ,  
MARCUS FOODS, INC., and DOES 1  
through 100, Inclusive ,

## Defendants.

CASE NO. 08-CV-0173 WOH (JMA)

Complaint Filed: January 29, 2008

**EX PARTE APPLICATION TO ESTABLISH  
THE DATE BY WHICH DEFENDANTS  
SHALL FILE A RESPONSIVE PLEADING  
AND  
ORDER**

**PLAINTIFF DOES NOT OPPOSE  
APPLICATION**

1 Defendants San Diego Refrigerated Services, Inc., doing business as Harborside, as  
2 San Diego Terminals, as San Diego Cold Storage, and as San Diego Cold Storage, Inc., and  
3 Miguel Cueva also known as Miguel Tamayo (collectively, "San Diego Refrigerated"),  
4 hereby request the Court establish April 3, 2008, as the date by which San Diego  
5 Refrigerated shall file an answer or other responsive pleading to the complaint in this action.

6 Plaintiff, Catlin Underwriting Agencies Limited does not object.

7 San Diego Refrigerated moves the Court to enter the enclosed order to establish the  
8 time to file a responsive pleading.

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10 DATED: March 31, 2008

SOLOMON WARD SEIDENWURM & SMITH, LLP

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By: /s/ Edward J. McIntyre

EDWARD J. MCINTYRE

13 Attorneys for Defendants San Diego  
14 Refrigerated Services, Inc., doing business as  
15 Harborside, as San Diego Terminals, as San  
16 Diego Cold Storage, and as San Diego Cold  
17 Storage, Inc., and Miguel Cueva also known as  
18 Miguel Tamayo

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## **CERTIFICATE OF SERVICE**

2 I caused the ***EX PARTE*** APPLICATION TO ESTABLISH THE DATE BY WHICH  
3 DEFENDANTS SHALL FILE A RESPONSIVE PLEADING to be served in the following  
4 manner:

## Electronic Mail Notice List

6 The following are those who are currently on the list to receive e-mail notices for this  
7 case.

## Electronic Mail Notice List

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Attorneys for Defendant Marcus Food Co.

## Manual Notice List

16 The following is the list of attorneys who are not on the list to receive e-mail notices  
17 for this case (who therefore require manual noticing).

18 None.

/s/ Edward J. McIntyre  
**EDWARD J. MCINTYRE**